



1-6-06

DA9 IFW \$

Express Mail No. EV 346 794 645 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pu-Sheng CHENG et al.

Confirmation No.: 1237

Application No.: 10/626,369

Group Art Unit: 1761

Filing Date: July 23, 2003

Examiner: A. Weier

For: SYSTEM AND METHOD FOR
DISPENSING A LIQUID BEVERAGE
CONCENTRATE

Attorney Docket No.: 88265-10365

**RENEWED PETITION TO ACCEPT UNINTENTIONALLY DELAYED
CLAIM OF PRIORITY UNDER 37 C.F.R. § 1.78(a)(3)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This renewed petition is being filed in response to the decision dated December 16, 2005 in order to claim the benefit, under 35 U.S.C. § 120, of certain prior-filed non-provisional applications of this Application No. 10/626,369. The factual bases for this request are as follows:

This application was filed on March 16, 2004 as a continuation of International application PCT/EP02/00770 filed January 22, 2002, and a continuation of U.S. Patent Application No. 09/768,784 filed January 25, 2001 ("the '784 application").

The '784 application claims the benefit of two earlier applications, namely, it is a continuation-in-part of U.S. patent application Ser. No. 09/453,932, filed on May 16, 2000, now U.S. Pat. No. 6,319,537, which application claims the benefit of provisional application No. 60/134,640 filed May 18, 1999.

It now has been found that priority claims to these two earlier applications were omitted when the '784 application was filed and that this petition is now being filed to claim the benefit of those applications. The earlier applications include at least one common inventor and were copending at the appropriate time periods. This is confirmed by US patent 6,756,069, the

patent which issued from the '784 application, which claims the priorities of the earlier applications and from which the present application is a continuation. Therefore, all the requirements set forth in 37 C.F.R. § 1.78(a)(1) for claiming the benefit of prior-filed applications have been met in the '784 application, and applicants request that the appropriate priority claims now be made in this application.

Further, Petitioner hereby states that the entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(2)(ii) and the date that the claim is being filed was unintentional and respectfully requests that the prior applications be included in the chain of title of the present application. Accordingly, Petitioner has submitted herewith an amendment of the specification to recite the two additional applications for which priority is now claimed, namely, nonprovisional application No. 09/453,932 and provisional application No. 60/134,640, and respectfully requests that this renewed petition be granted.

A fee of \$1,370 is believed to be required under 37 C.F.R. §§ 1.78(a)(3) and 1.17(t). Please charge any and all fees required to process this petition to Winston & Strawn LLP Deposit Account No. 50-1814.

Respectfully submitted,

1/4/06
Date

Allen A. Fanucci
Allan A. Fanucci, Reg. No. 30,256

WINSTON & STRAWN LLP
Customer No. 28765
212-294-3311